

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

REQUEST FOR CONFIDENTIAL TREATMENT OF)	
INFORMATION FILED WITH SOUTH CENTRAL)	
BELL TELEPHONE COMPANY'S PROPOSED)	CASE NO. 95-216
CONTRACT WITH KEENE MANUFACTURED HOMES)	
FOR DIGITAL ESSX® MAIN STATION LINES)	

O R D E R

This matter arising upon petition of Bell South Telecommunications, Inc. d/b/a South Central Bell Telephone Company ("South Central Bell"), filed May 10, 1995, pursuant to 807 KAR 5:001, Section 7, for confidential protection of the cost support data developed in connection with a special service arrangement contract with Keene Manufactured Homes for the provision of Digital ESSX® Main Station Lines on the grounds that disclosure of the information is likely to cause South Central Bell competitive injury, and it appearing to this Commission as follows:

South Central Bell has contracted with Keene Manufactured Homes for the provision of Digital ESSX® Main Station Lines which are 6.5 miles in length. The Digital ESSX® Service tariff currently includes rates for distances only up to five miles. In support of its application for approval of the contract South Central Bell has provided cost data which it seeks to protect as confidential.

The information sought to be protected is not known outside of South Central Bell and is not disseminated within South Central

Bell except to those employees who have a legitimate business need to know and act upon the information. South Central Bell seeks to preserve and protect the confidentiality of the information through all appropriate means, including the maintenance of appropriate security at its offices.

KRS 61.872(1) requires information filed with the Commission to be available for public inspection unless specifically exempted by statute. Exemptions from this requirement are provided in KRS 61.878(1). That section of the statute exempts several categories of information. One category exempted in paragraph (c)1 of that subsection is commercial information confidentially disclosed to the Commission which if made public would permit an unfair commercial advantage to competitors of the party from whom the information was obtained. To qualify for the exemption, the party claiming confidentiality must demonstrate actual competition and a likelihood of substantial competitive injury if the information is disclosed. Competitive injury occurs when disclosure of the information gives competitors an unfair business advantage.

South Central Bell's competitors for Digital ESSX® Service are providers of PBX equipment. PBX equipment provides features similar to those offered by South Central Bell's Digital ESSX® Service. Disclosure of the cost information would allow providers of PBX equipment to determine South Central Bell's cost and contribution from ESSX® service, which competitors could use to market their competing services to the detriment of South Central Bell. Therefore, disclosure of the information is likely to cause

competitive injury and the information should be protected as confidential.

This Commission being otherwise sufficiently advised,

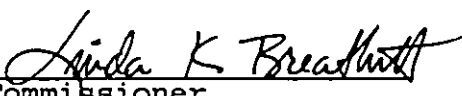
IT IS ORDERED that the cost support data filed in support of the proposed contract with Keene Manufactured Homes, which South Central Bell has petitioned to be withheld from public disclosure, shall be held and retained by this Commission as confidential and shall not be open for public inspection.

Done at Frankfort, Kentucky, this 9th day of June, 1995.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director